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**STEVE R. SEGURA, State Bar No. 156834**  
**ssegura@veatchfirm.com**

**Attorneys for Plaintiff**  
**DREAMROOM PRODUCTIONS, INC.**

FILED  
JUL 29 PM 1:58  
CENTRAL DISTRICT OF CALIFORNIA  
SAN FRANCISCO

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

**DREAMROOM PRODUCTIONS,**  
**INC., a California corporation,**

**Plaintiff,**

**vs.**

**HHSI, INC., a California**  
**Corporation,**

**Defendant.**

**CASE NO. SACV08-00596 CJC (JWJx)**

**COMPLAINT FOR:**

- (1) COPYRIGHT INFRINGEMENT,**  
**VICARIOUS LIABILITY, AND**  
**CONTRIBUTORY**  
**INFRINGEMENT; and**  
**(2) VIOLATION OF RIGHT OF**  
**PUBLICITY**

**DEMAND FOR JURY TRIAL**

Plaintiff, DREAMROOM PRODUCTIONS, INC. (hereinafter referred to as "DREAMROOM"), by its attorneys, for its Complaint against defendant, based upon federal question jurisdiction, alleges as follows:

**NATURE OF ACTION**

1. This action seeks injunctive relief and damages based upon defendant's willful and systematic infringement of the intellectual property rights of DREAMROOM.

2. More specifically, at all times relevant, defendant has engaged in a pattern of unlawful conduct, including, without limitation, infringing DREAMROOM's copyrights and rights of publicity (by assignment) through

1 the repeated unauthorized reproduction, display, sale, and distribution of  
2 motion picture videos owned by DREAMROOM on web sites controlled by  
3 defendant.

4 3. The conduct of defendant constitutes, at a minimum, a willful  
5 infringement of DREAMROOM's copyrights and publicity rights.

#### 6 JURISDICTION AND VENUE

7 4. This action arises under the Copyright Act of the United  
8 States, 17 U.S.C. § 501 *et seq.* This court has jurisdiction over the  
9 subject matter of this action pursuant to 28 U.S.C. §§ 1331, 1332, 1338  
10 (a) and (b) and principles of pendent jurisdiction.

11 5. Venue is proper in this Court pursuant to 28 U.S.C. § 1391  
12 (b)(1), (b)(2) and (b)(3).

#### 13 THE PARTIES

14 6. DREAMROOM is, and at all times mentioned herein was, a  
15 California corporation having its principal place of business in Los Angeles,  
16 California.

17 7. DREAMROOM is informed and believes, and on that basis  
18 alleges, that defendant, HHSI, INC. is a California corporation, with offices  
19 at 16795 Von Karman Avenue, Suite 250, Irvine, CA 92606.

#### 20 COMMON ALLEGATIONS

21 8. DREAMROOM's business consists of the production, marketing  
22 and promotion of motion pictures.

23 9. DREAMROOM has invested, and continues to invest,  
24 substantial sums of money, as well as time, effort and creative talent, to  
25 produce its copyrighted works. In order to produce such works,  
26 DREAMROOM must make numerous payments, including, without  
27 limitation, fees for independent contractors, fees for camera and stage  
28 and lighting crews, actor fees, photographer fees, location costs, styling

1 costs, make-up costs, production costs, equipment costs, travel costs, as  
2 well as public relations, legal and advertising costs.

3 10. DREAMROOM regularly hires independent contractors to  
4 produce its works, who in turn employ actors and models in connection  
5 with the creation of the copyrighted works. As a regular part of  
6 DREAMROOM's business, it secures assignments from the models of their  
7 rights of publicity in connection with the works.

8 11. DREAMROOM alleges, on information and belief, that  
9 defendant is directly liable, liable for inducing and/or contributing to, and  
10 vicariously liable for, the infringements of DREAMROOM's copyrights and  
11 rights of publicity, including infringements through the use of web sites  
12 under defendant's control, including the infringing conduct by defendant  
13 alleged herein.

14 12. DREAMROOM alleges upon information and belief that HHSI is  
15 an Internet Service Provider that provides, among other things, Web  
16 hosting, co-hosting and server rental services.

17 13. DREAMROOM alleges upon information and belief that  
18 Defendant webhosts, stores on its servers, allows public access to, owns,  
19 operates and controls the web site <movie-revolution.com> ("movie-  
20 revolution"). The movie-revolution web site displays, and offers for sale,  
21 the copyrighted works of DREAMROOM. Defendant has the ability to  
22 control the whether it hosts the movie-revolution web site and its content.

23 14. DREAMROOM is the owner by assignment of the rights of  
24 publicity of the models and actors portrayed in the infringing works  
25 depicted on, and offered for sale by, the movie-revolution web site. The  
26 display and sale of DREAMROOM's copyrighted works clearly infringes  
27 upon DREAMROOM's rights of publicity.

28

15. DREAMROOM has informed Defendant that it is infringing upon DREAMROOM's copyrights and rights of publicity but Defendant has refused, and continues to refuse, to cease its infringing activity.

16. Defendant admits that it does not own the rights to the content appearing on its web sites, including, without limitation, Movie-revolution, and thus, defendant admits to a willful infringement of the copyrights and rights of publicity owned by DREAMROOM.

17. DREAMROOM has never authorized HHSI, INC. or the owner of movie-revolution to manufacture, use, promote, market, sell, display or distribute DREAMROOM's copyrighted works, or to invoke DREAMROOM's rights of publicity.

#### **FIRST CLAIM FOR RELIEF**

**(Copyright Infringement, Vicarious Liability, and Contributory Infringement Against Defendant – 17 U.S.C. § 501, *et seq.*)**

18. DREAMROOM incorporates the allegations set forth in paragraphs 1 through 15 of this Complaint as though fully set forth at length.

19. At all times relevant hereto, DREAMROOM has been the owner of all rights, title and interest to each of the copyrights in suit. DREAMROOM has registered the copyrights for the works that defendant has unlawfully manufactured, reproduced, copied, prepared derivative works from, promoted, marketed, distributed, sold and publicly displayed. DREAMROOM's copyrighted works which defendant is infringing include, without limitation, the following:

TITLE OF WORKS	
1.	Hasegawa Naami no Miharashi Seikou
2.	Guradoru Shirouto Hakkutsu Purodu-su Kikaku Vol. 003
3.	Grahame - Rika Koizumi



TITLE OF WORKS
4. Gradoru Hatsu 3P de Renzoku Nakadashi - Ayumi Kirishima
5. Gradoru Mongen 8ji no Ojyosama ga AV Shutsuen?
6. Bakunyu Hami Chichi Kuikomi Mizugi
7. Bikini de akume - Mekosuji Zenkai
8. Himekkore-Dotei Shokun! Youenkyoushi no Tokubetsu Juogy
9. Himekkore-Dotei Shokun! Yourenkyoushi no Takubetsu Juogyo-VIP
10. Nakata Yui no Ecchi na Himitsu
11. Model Collection Select 2 Elegansu - Yuka Yamada
12. Model Collection Select 4 Elegansu - Yuka Yamada
13. Shai na Watashi ga Hatsurre ni Chosen!
14. Guradoru Shinjin Hakkutsu Purodu-su Kikaku Vol. 005
15. Shinnyushain no Oshigoto Vol. 1
16. Bakunyu Yoga Dojyo
17. Himekore Manatsu no nama!! Kyuujitsu Shukkin
18. Erosu note Dai 2 Sho Page 2
19. Erosu note Dai 2 Sho Page 1
20. Tagagi Seira Varentain Presento
21. Hatsugawama - Seira Takagi
22. Mew no Shinjin Chokyo 2 Zenpen
23. Mew no Shinjin Chokyo 2 Kouhen
24. Model Collection Select 1 Elegansu - Minako Oyama
25. Model Collection Select 3 Elegansu - Minako Oyama
26. Dynamaite - Rui orie
27. Geki Ranko - Rui orie
28. Geki Rori Ranko - Saya Misaki
29. Opaire-tsu obu Karibiankomu - Denetsu no Oppai wo Motomete - Zenpen
30. Opaire-tsu obu Karibiankomu - Denetsu no Oppai wo Motomete - Kouhen
31. Guradoru Shirouto Hakkutsu Purodu-su Kikaku Vol. 004

	TITLE OF WORKS
32.	Doinran Jyoyu My no Shinjin Choukyou!! Zenpen
33.	Doinran Jyoyu My no Shinjin Choukyou!! Kouhen
34.	Shikyu de Kanjiru...
35.	Daburyu-Aya
36.	Toshionna - Midaredoshi
37.	Toshionna - Jyukunen
38.	EroHassuru Part 1
39.	EroHassuru Part 2
40.	Sannin Kanjyo no Hina Matsuri
41.	Dynamaitte Saito Mai
42.	Monburan no Ohrunaito Ippon
43.	Gogo no Bikini Ro-shon
44.	Ayayayayattsu!? Meccha Seikan Meccha nakadash!
45.	Hadaka no O-jyosama
46.	Shimada Kana no Nakadashi Seijin Iwai
47.	Macchi Uri no Shojo - The Little Match Virgin
48.	Goshujin sama no Tameni...
49.	Hong Kong Musume no Hdo Check
50.	Ajian Byuti
51.	Misshitsu ryojyuku--Aki Yatoh
52.	Roricchi
53.	Moeyo Kokan Daikenkyuu! Miruku Ichigo
54.	Dynamaitte Akane Hotaru
55.	Chikandensha Volume 2
56.	Aezaki Runa no Miharashi Saikou
57.	Gradoru Shinjin Hakkutsu Purodu-su Kikaku Vol. 007
58.	Akino Inran matsutake Gari
59.	Shinnyu Shain no Oshigoto Vol. 3
60.	Awahime Monogatari
61.	Gokujou Awahime Monogatari Vol. 2

TITLE OF WORKS	
62.	Model Collection Select... 8 Poppu - Anna Watanabe
63.	Model Collection Select... 11 Poppu - Anna Watanabe

20. Each of DREAMROOM's copyrighted works consists of material wholly original with DREAMROOM and each is copyrightable subject matter under the laws of the United States.

21. DREAMROOM is informed and believes, and on that basis alleges, that defendant has directly infringed and/or knowingly induced, caused, materially contributed, encouraged, or assisted others to infringe DREAMROOM copyrights, by the reproduction, alteration, promotion, marketing, public display, sale or distribution of the copyrighted works.

22. Defendant is liable for infringing DREAMROOM's copyrights as set forth above, by reproducing, marketing, promoting, selling, copying, publicly displaying, creating derivative works from, and distributing for purposes of trade, unauthorized copies of DREAMROOM's works, all in violation of 17 U.S.C. §§ 106, 501, *et seq.*

23. Through its conduct averred herein, defendant has engaged and continues to engage in the business of knowingly and systematically inducing, causing, and materially contributing to, the above-described unauthorized reproductions, marketing, sales, public display and distribution of, and creation of derivative works from, DREAMROOM's copyrighted works.

24. At all times relevant herein, defendant had the right and ability to supervise and/or control the infringing content that exists on defendant's web sites. As a direct and proximate result of such failure to supervise, the defendant's web sites, including, without limitation, Movie-revolution, have infringed DREAMROOM's copyrights, as set forth herein.

1       25. At all relevant times herein, defendant has derived substantial  
2 financial benefit from the infringement of DREAMROOM's copyrights.

3       26. Defendant's acts alleged herein were performed without the  
4 permission, license or consent of DREAMROOM.

5       27. The infringement of each of DREAMROOM's rights in and to  
6 the copyrighted works constitutes a separate and distinct act of  
7 infringement.

8       28. The foregoing acts of infringement by defendant have been  
9 willful, intentional and purposeful, in disregard of and with indifference to  
10 the rights of DREAMROOM.

11       29. Defendant's conduct, as averred herein, constitutes direct, as  
12 well as contributory and vicarious infringement of DREAMROOM's  
13 copyrights and DREAMROOM's exclusive rights under copyright, in  
14 violation of sections 106 and 501 of the Copyright Act at 17 U.S.C. §§  
15 106, 501.

16       30. As a direct and proximate result, as well as contributory and  
17 vicarious infringements by defendant of DREAMROOM's copyrights and  
18 exclusive rights under copyright, DREAMROOM has suffered substantial  
19 damages to its business in the form of diversion of trade, loss of profits,  
20 injury to goodwill and reputation, a dilution of the value of its rights, and  
21 damage to its customers who have properly licensed said copyrighted  
22 works, all in an amount to be established at trial. DREAMROOM is  
23 therefore entitled to damages and defendant's profits pursuant to 17  
24 U.S.C. § 504(b) for each infringement.

25       31. Alternatively, DREAMROOM is entitled to the maximum  
26 statutory damages, pursuant to 17 U.S.C. § 504(c).

27       32. DREAMROOM is entitled to its attorney's fees and full costs  
28 pursuant to 17 U.S.C. § 505.



1           33. Defendant's conduct, as herein above averred, is causing and,  
2 unless enjoined and restrained by this Court, will continue to cause  
3 DREAMROOM great and irreparable injury that cannot fully be  
4 compensated or measured in money. DREAMROOM has no adequate  
5 remedy at law. Pursuant to 17 U.S.C § 502, DREAMROOM is entitled to  
6 preliminary and permanent injunctive relief prohibiting further infringement  
7 of DREAMROOM's copyrights.

8                           **SECOND CLAIM FOR RELIEF**

9                           **(Violation of Right of Publicity Against Defendant -**  
10                           **Cal. Civil Code § 3344 and the common-law)**

11           34. DREAMROOM incorporates the allegations set forth in  
12 paragraphs 1 through 31 above as though fully set forth at length.

13           35. At all times relevant, DREAMROOM was the assignee of  
14 publicity rights in the likenesses of the models and actors appearing in its  
15 copyrighted works which models were the subject of still photographs and  
16 motion picture video productions appearing on defendant's web sites.

17           36. At all times, relevant, Defendant knowingly and without  
18 DREAMROOM's consent, invaded DREAMROOM's right to publicity by  
19 appropriating likenesses belonging to DREAMROOM and by publishing the  
20 same on the Internet and offering same for sale and distribution.

21           37. The appropriation was unauthorized and without the prior  
22 consent of DREAMROOM.

23           38. Defendant's conduct involved the appropriation of images of  
24 DREAMROOM's assignors, and DREAMROOM's assignors are readily  
25 identifiable in the images in that any person viewing the image with the  
26 naked eye can reasonably determine that the person depicted in it are  
27 DREAMROOM's assignors. Furthermore, defendant wrongfully used the  
28 names of these models on its web site.

39. The appropriation by defendant was on or in products, merchandise, or goods, *i.e.*, in the works themselves, which are sold to the public on defendant's web site.

40. The wrongful acts of defendant have caused, and are causing, great injury to DREAMROOM, which damage cannot be accurately or precisely computed, and unless this Court restrains the defendant from the further commission of said acts, DREAMROOM will suffer irreparable injury, for all of which DREAMROOM is without an adequate remedy at law.

41. By reason of defendant's acts, DREAMROOM has suffered substantial damages to its business in the form of diversion of trade, loss of profits, injury to goodwill and reputation, dilution of the value of its rights, and damage to its goodwill and image, all of which are not yet fully ascertainable.

42. DREAMROOM is informed and believes, and on that basis alleges, that the aforementioned acts of defendant were willful, oppressive, fraudulent, and malicious, and DREAMROOM is therefore entitled to punitive damages.

## PRAYER FOR RELIEF

1. The defendant, its officers, agents, servants, employees, representatives, and attorneys, and all persons in active concert or participation with them, be preliminarily and permanently enjoined from:

a. reproducing, copying, publishing, distributing, or publicly displaying DREAMROOM's copyrighted works, and from otherwise infringing DREAMROOM's copyrights;

b. posting photographs or video clips of DREAMROOM's actors in the copyrighted works on the Internet;

c. violating DREAMROOM's rights of publicity;

1 d. unfairly competing against DREAMROOM by stealing  
2 works that they do not own the rights to and posting them for sale,  
3 selling or distributing them on the Internet, or elsewhere;

4 e. contributing to the above conduct;

5 f. profiting from the above conduct.

6 2. That defendant be ordered to destroy all infringing videos,  
7 images, documents, and other items, electronic or otherwise, in its  
8 possession.

9 3. An award of its actual damages.

10 4. That Defendant disgorge to DREAMROOM all profits received  
11 through the infringing acts or violation of publicity rights.

12 5. An accounting be made for all profits, income, receipts or other  
13 benefits derived by defendant.

14 6. Statutory damages under the Copyright Act.

15 7. That defendant pay to DREAMROOM general damages in an  
16 amount to be proven.

17 8. Statutory damages under California Civil Code § 3344.

18 9. That defendant pay to DREAMROOM punitive damages for its  
19 intentional and willful conduct.


20 10. That DREAMROOM be awarded its attorneys' fees and costs.

21 11. That DREAMROOM be awarded such other and further relief as  
22 this court deems just and appropriate.

23 DATED: May 21, 2008

Respectfully submitted,

24 VEATCH CARLSON

25  
26 By:   
27 STEVE R. SEGURA  
28 Attorneys for Plaintiff,  
DREAMROOM PRODUCTIONS, INC.

1 **DEMAND FOR JURY TRIAL**

2 Plaintiff DREAMROOM PRODUCTIONS, INC. hereby demands a jury  
3 trial on all issues so triable.

4  
5 DATED: May 21, 2008

Respectfully submitted,

6 **VEATCH CARLSON**

7  
8 By:   
9 **STEVE R. SEGURA**  
10 Attorneys for Plaintiff,  
11 **DREAMROOM PRODUCTIONS, INC.**

12 I:\WP\88288422\P-COMPLAINT.p02.wpd



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Cormac J. Carney and the assigned discovery Magistrate Judge is Jeffrey W. Johnson.

The case number on all documents filed with the Court should read as follows:

**SACV08- 596 CJC (JWJx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☐ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☒ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Steve R. Segura, Esq. (SBN: 156834)  
 VEATCH CARLSON  
 700 S. Flower Street  
 Los Angeles, CA 90017-4209  
 Tel: (213) 381-2861 - Fax: (213) 383-6370  
 Email: Ssegura@veatchfirm.com

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

DREAMROOM PRODUCTIONS, INC., a California  
 corporation,

PLAINTIFF(S)

v.

HHSI, INC., a California corporation,

DEFENDANT(S).

CASE NUMBER

**SACV08-00596 CJC (JWJx)**

**SUMMONS**

TO: DEFENDANT(S): HHSI, INC.

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Steve R. Segura, whose address is Veatch Carlson, 700 S. Flower Street, 22nd Floor, Los Angeles, California 90017-4209. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: MAY 29 2008

By: \_\_\_\_\_

**ROLLS ROYCE PASCHAL**

Deputy Clerk

(Seal of the Court)

1144

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> )  DREAMROOM PRODUCTIONS, INC.		<b>DEFENDANTS</b>  HHSI, INC.	
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  VEATCH CARLSON 700 S. Flower Street, 22nd Floor Los Angeles, CA 90017-4209 Tel: (213) 381-2861 - Fax: (213) 383-6370		Attorneys (If Known)	

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:35%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> <td style="width:45%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

**IV. ORIGIN** (Place an X in one box only.)

☒ 1 Original Proceeding    
☐ 2 Removed from State Court    
☐ 3 Remanded from Appellate Court    
☐ 4 Reinstated or Reopened    
☐ 5 Transferred from another district (specify):    
☐ 6 Multi-District Litigation    
☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:**     **JURY DEMAND:** ☒ Yes     ☐ No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION under F.R.C.P. 23:** ☐ Yes     ☒ No    
**MONEY DEMANDED IN COMPLAINT:** \$ According to Proof

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

<b>VII. NATURE OF SUIT</b> (Place an X in one box only.)					
<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

**SACV08-00596 CJC (JWLx)**

**FOR OFFICE USE ONLY:** Case Number: **SACV070-738 JVS (JTLx)**

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☐ No ☒ Yes

If yes, list case number(s): SACV070-738 JVS (JTLx)

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☐ No ☒ Yes

If yes, list case number(s): SACV070-738 JVS (JTLx)

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☒ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note:** In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):

*Stuart R. Segura*

Date May 27, 2008

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))